

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

IN RE:

Reagor-Dykes Motors, LP, et al.

Debtors,

Case No. 18-50214-rlj-11  
Jointly Administered

Dennis Faulkner, Creditors' Trustee,

*Plaintiff*

vs.

Ford Motor Credit Company, LLC,

*Defendant*

Adversary No. 20-05005-rlj

**ORDER SUSTAINING CREDITORS' TRUSTEE DENNIS FAULKNER'S  
OBJECTIONS TO FORD MOTOR CREDIT COMPANY, LLC'S TRIAL EXHIBITS**

The Court has considered Creditors' Trustee Dennis Faulkner's Objections to Ford Motor Credit Company, LLC's Trial Exhibits (the "Objection") [Dkt. \_\_\_\_] together with any response offered by Ford Motor Credit Company, LLC ("FMCC").

IT IS ORDERED that the Trustee's Objections are sustained as reflected below:

1. FMCC Exhibit No. 23, the Trustee's Notice of Summary of Claims by Plan Class (Bkr. Dkt. No. 2295), is excluded from evidence.
2. FMCC Exhibits 45-82, 1263-1274, 1424-1425 consist of the reports and exhibits prepared by FMCC's expert witnesses Josh Johnston and Hugh Johnson, are excluded from evidence as hearsay unless FMCC does not object to the Trustee's exhibits related to its expert witnesses.
3. FMCC Exhibits 83-85, 89-97, 100-106, which are various business valuation textbooks and articles, are excluded from evidence, except to the extent that they may be read into the record during the testimony of the parties' expert witnesses.
4. FMCC Exhibits 87-88, 98-99, consisting of learned treatises focused on the various forms and characteristics of Ponzi schemes, are excluded from evidence.
5. FMCC Exhibits 762, 763, and 764, which are the affidavits of Rick Dykes and Shane Smith, and the declaration of Linda Lundy, are excluded from evidence unless offered for impeachment purposes.
6. FMCC Exhibits 1429-1430, which are emails between counsel in this adversary case concerning the identification and designation of the Trustee's expert witnesses, are excluded from evidence.
7. FMCC Exhibits 1434-1435, consisting of items that FMCC referenced during the depositions of Robert Reilly and Joseph Danko, are excluded from evidence. To the extent that

those proposed exhibits are used as demonstratives, they may be referenced during the trial.

8. FMCC Exhibits 1456-1458, which are characterized as Rule 1006 summaries, are excluded from evidence. To the extent that those proposed exhibits are used as demonstratives, they may be referenced during the trial.

SO ORDERED.

###End of Order###

**BRACEWELL LLP**

Bryan S. Dumesnil  
711 Louisiana, Suite 2300  
Houston, Texas 77002  
(713) 223-2300 - Telephone  
(800) 404-3970 – Facsimile  
bryan.dumesnil@bracewell.com